

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**  
Case No. 24-24228-CIV-ALTONAGA

MEGAN PETE, an individual

*Plaintiff,*

v.

MILAGRO ELIZABETH COOPER,  
an individual,

*Defendant.*

**DEFENDANT'S RENEWED UNOPPOSED VERIFIED MOTION FOR SIXTY DAY  
CONTINUANCE OF PRETRIAL DEADLINES AND TRIAL DATE**

Defendant, Milagro Elizabeth Cooper, by and through undersigned counsel, is respectfully requesting a 60-day continuance for all deadlines and trial date for the good cause set forth herein, and states the following:

1. This is a diversity case for miscellaneous relief brought by Plaintiff based on alleged defamation, intentional infliction of emotional distress, and other statutory relief.
2. This matter is currently scheduled for trial on September 8, 2025 or as soon as thereafter as the Court is available. The discovery cut-off is May 12, 2025. The deadline for filing Daubert and Dispositive motions is May 19, 2025.
3. Defendant respectfully moves this Court to continue pretrial deadlines and trial date by 60 days.
4. The specific grounds underlying the necessity of the relief being sought in this motion is set forth in Mr. Hayden's Declaration which was filed under seal [DE 54].
5. This motion is not being filed due to any dilatory purposes or for delay. The parties have been serving written discovery and depositions are scheduled to occur during the next several

weeks. Plaintiff's availability to be deposed is only a few days before the current discovery cut-off and as such, the Defendant will not have sufficient time to prepare any pretrial motions before the current deadline.

6. No party will be unfairly prejudiced by the requested continuance. If this motion is denied, the Defendant will be unfairly prejudiced.

7. Counsel for Defendant personally conferred with Counsel for Plaintiff pursuant to Local Rule 7.1(a)(3) and Plaintiff has no objection to the requested time extension.


8. A proposed order is attached hereto.

#### **MEMORANDUM OF LAW**

Federal Rule of Civil Procedure 16 grants district courts the power to police their dockets, including the imposition of deadlines. *Mingo v. Sugar Cane Growers Co-Op of Florida*, 864 F.2d 101, 102 (11<sup>th</sup> Cir. 1989). If the parties, like the litigants here, diligently and timely pursue their rights but for reasons other than their own negligence are unable to comply with the court's deadline, the court should exercise its discretion and modify its scheduling order. *Payne v. Ryder Systems*, 173 F.R.D. 537, 539 (M.D. Fla. 1997); *Fellows v. Earth Construction Inc.*, 794 F.Supp. 531 (D. Va. 1992). This Motion clearly sets forth a good faith basis for continuing the current trial date. Defendants are not engaging in any type of delay tactic that would warrant denial of this Motion.

#### **LOCAL RULE 7.6 CERTIFICATION**

I hereby certify that the facts contained herein are true and correct.



MICHAEL R. HAYDEN, ESQ.

**WHEREFORE**, for the good cause set forth herein, Defendant respectfully request that the dates for pretrial conference, trial and all other remaining pretrial deadlines be extended by sixty (60) days. Alternatively, Defendant respectfully requests a scheduling conference before the Court to facilitate new pretrial deadlines and a trial date.

April 2, 2025

Respectfully submitted,

**PANCIER LAW**

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**UNITE THE PEOPLE, INC.**

/s/ Michael R. Hayden  
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*Co-counsel for Defendant,*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 2, 2025, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing is being served this day on all counsel of record in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel who are not authorized to receive Notice of Electronic Filing.

By: /s/ Michael Pancier  
Michael Pancier  
Fla Bar No. 958484